

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Vice Chair Verdell Jackson, on April 6, 2011 at 9:00 AM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Verdell Jackson, Vice Chairman (R)
Sen. Tom Facey (D)
Sen. Frederick (Eric) Moore (R)
Sen. Carmine Mowbray (R)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Mitch Tropila (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Joe Balyeat, Chairman (R)
Sen. Bruce Tutvedt (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 283, 3/30/2011; HB 615, 3/30/2011; HB 577, 3/30/2011; SR 19, 3/30/2011; SR 17, 3/30/2011

Executive Action: HB 615, Do Concur; SR 19, SR 17 Be Adopted.

HEARING ON HB 283

Opening Statement by Sponsor:

00:02:19 Rep. Liz Bangerter (R), HD 80, opened the hearing on HB 283. Allow sex to be considered in certain insurance coverage.

Proponents' Testimony:

00:06:22 Kori Dee, Co-Owner, Jacoby and Dee Insurance, Helena; National Association of Insurance and Financial Advisors (NAIFA)

EXHIBIT(bus77a01)

00:09:08 Christy Castronow, Northwestern Mutual Insurance, Bozeman: NAIFA

00:12:51 Lori Fearon, Payne Financial Group; NAIFA

00:14:15 Dan Rust, Insurance Agent, Bozeman; NAIFA

00:15:16 Bruce Spencer, Property Casualty Insurance Association of America (PCIAA); Allstate Insurance

00:16:37 Jacqueline Lenmark, American Insurance Association (AIA); American Council of Life Insurers (ACLI); American Family Life Assurance Company (AFLAC)

EXHIBIT(bus77a02)

00:22:44 Dwight Easton, Farmers Insurance Group (FIG)

Opponents' Testimony:

00:23:46 Ann Brodsky, Chief Legal Council, Office of the Governor

00:28:49 Julie Cerenzia, Actuary, representing herself; member of Bozeman Business and Professional Women

00:33:49 Rep. Diane Sands, HD 95, Missoula

00:37:25 Mike Malloy, Attorney, Helena

00:42:48 Jackie Boyle, Office of Commissioner of Securities and Insurance

00:45:17 Mary Arnold, speaking for financial planner Jane Lopp and Associates LLC, Kalispell

EXHIBIT(bus77a03)

00:48:18 Claudia Clifford, Advocacy Director, Association of American Retired Persons (AARP) Montana

00:49:45 Mark Cadwallader, Department of Labor and Industry (DOLI)

00:51:28 Don Judge, Montana Nurses Association (MNA)

00:51:55 Alex Corcoran, Pro-Choice Montana

Informational Testimony: None

Questions from Committee Members and Responses:

00:52:22 Sen. Mowbray

00:52:57 Ms. Lenmark, AIA

00:54:57 Sen. Vuckovich

00:56:09 Mr. Spencer, PCIAA

00:56:39 Sen. Mowbray

00:57:16 Rep. Bangerter

00:57:44 Sen. Tropila

00:58:28 Mr. Rust, Insurance Agent
 00:59:17 Sen. Facey
 01:00:29 Ms. Cerendia, Actuary
 01:00:47 Sen. Tropila
 01:03:54 Rep. Bangerter
 01:04:53 Sen. Moore
 01:06:25 Rep. Bangerter
 01:06:55 Sen. Vuckovich
 01:09:42 Rep. Bangerter, redirect, without objection
 01:11:00 Ms. Lenmark, AIA
 01:12:30 Sen. Vuckovich
 01:13:16 Ms. Lenmark
 01:15:41 Vice Chairman Jackson
 01:15:55 Sen. Vuckovich
 01:16:20 Ms. Lenmark

01:16:20 Sen. Balyeat entered the meeting.

Closing by Sponsor:

01:16:25 Rep. Bangerter
 01:19:49 Vice Chair Jackson concluded the hearing. Sen. Balyeat took over as Chair.
 01:20:14 Recess
 01:25:16 Resume

HEARING ON HB 615

Opening Statement by Sponsor:

01:25:34 Rep. Kathleen Williams (D), HD 65, opened the hearing on HB 615. Advance cancer research and treatment.

EXHIBIT(bus77a04)

Proponents' Testimony:

01:35:04 Dr. Jack Hensel, Oncologist, Bozeman Deaconess Hospital
EXHIBIT(bus77a05)
 01:41:39 Brendan Steele, cancer patient, Bozeman
 01:46:24 Aidan Myhre, GlaxcoSmithKline Pharmaceuticals
 01:47:38 Bill Warden, Bozeman Deaconess Hospital; St. Peter's Hospital, Helena; Benefis Hospital, Great Falls
 01:48:00 Susan Witte, Allegiance Life and Health; also speaking for Frank Cote, Blue Cross Blue Shield (BCBS)
 01:48:23 Aimee Grmoljez, Billings Clinic
EXHIBIT(bus77a06)
 01:49:17 Dan Flynn, self, Helena
 01:49:43 Melinda Bachini, cancer patient

01:50:24 Jesse Laslovich, State Auditor's Office; also speaking for Tanya Ask, New West Health Services
01:50:56 Don Judge, Montana Nurses Association (MNA)
01:51:47 Mike Foster, Catholic Hospitals in Montana
01:52:02 Erin MacLean, Montana Medical Association (MMA)
01:52:16 Janette May, cancer patient
01:52:58 Wendy Gwinner, Bozeman Deaconess Cancer Support, Bozeman
01:54:31 Kathy McGowan, American Cancer Society Cancer Action Network (ACS CAN)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:55:01 Chairman Balyeat
01:55:55 Rep. Williams

Closing by Sponsor:

01:56:18 Rep. Williams

EXECUTIVE ACTION ON HB 615

01:57:24 **Motion/Vote:** Sen. Moore moved that **HB 615 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Steinbeisser will carry the bill.

HEARING ON HB 577

Opening Statement by Sponsor:

01:59:31 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 577. Revise taxes by removing tip income for workers' compensation purposes.

Proponents' Testimony:

02:01:31 Brad Griffin, Montana Retail Association (MRA)
02:04:46 Bob Miller, Bear Paw Bar and Grill, Macallister
02:06:08 Don Cape, Jr., Old Chicago, Bozeman and Billings
02:06:54 Neil Peterson, Gaming Industry Association (GIA)

Opponents' Testimony:

02:07:14 Jackie Helt, SEIU Healthcare 775NW; Labor Management Advisory Council (LMAC)
02:08:23 Keith Kelly, Commissioner, Department of Labor and Industry (DOLI)
02:12:17 Mark Anderlik, Executive Officer, Unite Here! Local 427
02:14:56 Don Judge, Montana Nurse's Association (MNA)
02:20:00 Andrea Olsen, Montana Trial Lawyer's Association (MTLA)

02:23:08 Bob Worthington, Co-Vice Chair, LMAC

02:23:32 Jason Miller, Co-Vice Chair, LMAC

Informational Testimony:

02:24:04 Kevin Braun, Montana State Fund (MSF)

Questions from Committee Members and Responses:

02:24:25 Sen. Facey

02:24:55 Mr. Braun, MSF

02:25:43 Sen. Tropila

02:26:23 Mr. Griffin, MRA

02:27:02 Sen. Facey

02:27:39 Mr. Griffin

02:28:32 Sen. Tropila

02:29:34 Mr. Peterson, GIA

02:30:21 Sen. Mowbray

02:30:45 Mr. Braun

02:31:19 Sen. Stewart-Peregoy

02:32:14 Mr. Kelly, DOLI

Closing by Sponsor:

02:33:52 Rep. Stahl

02:38:34 Chairman Balyeat

02:38:37 Ms. Murdo

HEARING ON SR 19

Opening Statement by Sponsor:

02:41:22 Sen. Tom Facey (D), SD 48, opened the hearing on SR 19. Confirm appointee Dore Schwinden as Director of Department of Commerce.

EXHIBIT(bus77a07)

Proponents' Testimony:

02:42:15 Viv Hammell, Governor's Chief of Staff

02:44:10 Dore Schwinden, Department of Commerce

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:46:10 Sen. Facey

EXECUTIVE ACTION ON SR 19

02:46:24 **Motion/Vote:** Sen. Facey moved that **SR 19 BE ADOPTED**. Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

HEARING ON SR 17

Opening Statement by Sponsor:

02:46:39 Sen. Tom Facey (D), SD 48, opened the hearing on SR 17. Confirm certain Governor's appointees.

Proponents' Testimony:

02:47:44 Patti Keebler, Office of the Governor

02:48:22 John Forkan, Montana State Association of Plumbers and Pipefitters

02:48:47 Keith Allen, International Brotherhood Electrical Workers (IBEW) #233

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:49:36 Sen. Facey

EXECUTIVE ACTION ON SR 17

02:49:56 **Motion/Vote:** Sen. Facey moved that **SR 17 BE ADOPTED**. Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

02:50:38 Chairman Balyeat

02:50:41 Sen. Facey

EXHIBIT(bus77a08)

Note: Exhibit 8 pertains to SR 18 heard in this committee 4/5/2011.

02:51:05 Ms. Murdo

02:53:32 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:55 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus77aad.pdf](#))